

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LUZ ELVIA BHULLAR,

No. C 07-3937 SBA (PR)

Petitioner,

v.

**ORDER GRANTING  
RESPONDENT'S MOTION  
TO DISMISS**

SCHELIA A. CLARK, Warden,

Respondent.

Respondent moves to dismiss as moot Petitioner's petition for a writ of habeas corpus. The petition challenges a Bureau of Prisons (BOP) regulation, 28 C.F.R. § 570.21, that limits an inmate's placement in a residential reentry center (RRC)<sup>1</sup> to the last ten percent or six months of his or her sentence, whichever is shorter. Petitioner claims that this policy is contrary to 18 U.S.C. § 3621(b), which governs the placement of inmates in BOP custody. The petition seeks an order directing the BOP to consider Petitioner's appropriateness for transfer to an RRC based on the factors set forth in § 3621(b).

On April 3, 2008, while this action was pending, the BOP determined that Petitioner had completed her sentence and released her from custody. Respondent subsequently filed a motion to dismiss the petition as moot.<sup>2</sup>

<sup>1</sup> RRCs are also known as community corrections centers or, colloquially, halfway houses.

<sup>2</sup> Petitioner has not filed an opposition to Respondent's motion, despite being given an extension of time to do so. In addition, mail sent to Petitioner by the Court was returned as undeliverable, and Petitioner has not informed the Court of a change of address.

1 Because Plaintiff's release from BOP custody is a result more favorable than the relief sought  
2 in the petition, there is no longer a live controversy before the Court. See Mitchell v. Dupnik, 75  
3 F.3d 517, 528 (9th Cir. 1996). Accordingly, the Court GRANTS Respondent's motion to dismiss the  
4 petition as moot (docket no. 12). The Clerk of the Court shall enter judgment for Respondent and  
5 close the file.

6 This Order terminates Docket no. 12.

7 IT IS SO ORDERED.

8 DATED: 6/2/08

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

United States District Court  
For the Northern District of California

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1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 LUZ E. BHULLAR,

5 Plaintiff,

6 v.

7 SCHELIA A. CLARK et al,

8 Defendant.  
9 \_\_\_\_\_/

Case Number: CV07-03937 SBA

**CERTIFICATE OF SERVICE**

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
11 Court, Northern District of California.

12 That on June 4, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said  
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
14 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
15 located in the Clerk's office.

16 Luz Elvia Bhullar #16252-097  
17 FCI Dublin  
18 Federal Correctional Institution  
19 5701 8th Street - Camp Parks  
20 Dublin, CA 94568

21 Dated: June 4, 2008

22 Richard W. Wieking, Clerk  
23 By: LISA R CLARK, Deputy Clerk  
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